



## Mid-Month Council Meeting Minutes May 20, 2015

### 6:45 pm – Public Hearing

- I. **Call to Order:** 6:45 pm
- II. **Roll Call:** Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TC Cathy Beaver
- III. **Pledge of Allegiance:** Pledge was said
- IV. **Final Reading of Ordinance No. 15-05; an Act to amend the code of Ordinances of the Town of Townsend concerning Street Lighting:**
  - a. CM Sutton read the title and synopsis for the final reading of Ordinance No. 15-05, street lighting.
  - b. CW Gorman asked about the provision for existing lights
  - c. Mayor Hatton explained this ordinance is only for new lights being installed and as light go out Delmarva will install LED lights as replacements.
  - d. CM Sutton motioned, CM Ness seconded with unanimous vote to have a vote to approve Ordinance No. 15-05 in the mid-month meeting.
- V. **Final Reading of Ordinance No. 15-06, an Act to amend the Code of Ordinances of the Towns of Townsend concerning Peddlers and Solicitors**
  - a. CW Cook read the title and synopsis for the final reading of Ordinance No. 15-06.
  - b. There was no discussion.
  - c. CW Cook motioned, CM Ness seconded with unanimous vote to approve Ordinance No. 15-06 in the mid-month meeting.
- VI. **Public Comments:** None
- VII. **Adjournment:** 6:57 pm

### 7:00 pm - Meeting

- I. **Call to Order:** 7:00 pm
- II. **Opening Ceremonies**
  - a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TE Owen Hyne, TA Fred Townsend, TM Dawson Green (7:03 pm), TC Cathy Beaver
  - b. Recognition of Visitors: Drue Matthews
  - c. Pledge of Allegiance: Pledge was said.
  - d. Announcements:
    - Town Hall closed Monday, May 25, 2015 for Memorial Day
- III. **Additions/Deletions to Published Agenda**
  - a. Mayor Hatton deleted the approval of the 4/22 and 5/6 minutes.
  - b. CW Cook added social media policy and volunteer of the year award under community relations.
  - c. CM Ness motioned, CW Gorman seconded with unanimous vote to approve the agenda with the above changes.
- IV. **Lifhouse Church – Drue Matthews**
  - a. Discussion re: Lifhouse Church desire to purchase land to build church
    - Drue Matthews introduced himself on behalf of Lifhouse Church. He stated the church is in early discussion/negotiations with Pettinaro to possibly purchase the north side of the property in front of TVII East to build a church. This is part of the property that is registered as the "Shoppes of Townsend". He added that Lifhouse Church wanted the Town aware of this possibility and were in hopes all would be OK with this if it goes through.
    - After much discussion, it was determined that Lifhouse Church would do this in phases, first phase would be to purchase the land, etc. It would probably be several years before the church could be built. The church currently has 850 members and is growing. The church will also have the option to buy the south side of the property within 2 years.

- Mayor Hatton explained to Mr. Matthews the sewer capacity issues the Town is facing and Mr. Matthews agreed they need to look into this before purchasing the property.

- All of Council agreed having the church here would be an asset to the Town and if all works out the Town will hold a public meeting and invite TVII East residents to attend.

## **V. Mayor's Report**

### **a. Update on Legislation**

- House Bill 70 – We were asked to a meeting with the Governor last week. There were 18 Mayor's and 5 Town Managers in attendance. The Governor wanted us to stay after his meeting for the 3:30 committee meeting and talk to some of the committee representatives. He wanted the DLLG to take a position to support the bill which they decided not to do, didn't feel they were in a position to do this. This came out of committee on Thursday. Rep. Spiegelman voted it out of committee and then didn't vote on it at the House level

- Representative Boulden from Wilmington voted no for Townsend to purchase the property from the school district, wanted us to preserve the building, sent her pictures and she saw it can't be saved. It is out of committee now and in the House for approval.

- Municipal Street Aid (MSA) has been cut 2 million dollars by the Governor. He stated if we don't raise the 50 million dollars he needs to raise, it may be cut completely. The bill has to be approved in the Senate for us to get the 2 million back. If it doesn't happen, it will cut \$9,000 from us and we will receive only around \$14,000. The DLLG is keeping a very close eye on this.

- The DLLG is still searching for sponsors for the bill prohibiting guns in municipal buildings. This bill will probably go to the house in June.

- Mayor Hatton stated he is attending the Veterans Day ceremony Tuesday at the Veteran's Cemetery and another ceremony on Saturday at the Delaware Memorial Park.

- He added he has been invited to the installation of the new VFW Post Commander, Ray Conners, in June.

- Many things will be discussed at the DLLG dinner/meeting tomorrow night. Hope all can attend.

## **VI. Reports**

### **a. Fred Townsend III, Town Attorney**

- The issue with New Castle County sewer will keep us busy this year, potential litigation so can't speak in any detail. When/if the time comes, will have to have executive sessions. May also be litigation on the streetscape which will be discussed in executive session.

### **b. Owen Hyne, Town Engineer**

- The Town Hall is out to bid, mandatory pre-bid meeting was Tuesday, had 14 contractors here, feel some were interested, some weren't. Bids will be opened 5/28/15 in a special meeting at 1:00 pm at Town Hall. Had some questions come in, answers will be online tomorrow.

- Mayor Hatton asked how strong TE Hyne is on the estimate RVB provided for the project.

- TE Hyne stated he feels it is a good estimate, would like to see bids come in at \$250,000 for renovations and \$100,000 for the rest of the work. \$25,000 either way would make him happy.

- Streetscape – the concrete is deteriorating on the sidewalks. Sent a letter and photos to Grassbusters, the contractor. They met with us Friday morning, DelDot didn't show up. Both parties stated there may have been issues with the concrete (4000 mix) supplied. Nice to know, yet contractor is still responsible for fixing the problem. A long discussion followed about the streetscape and the problems from it.

- TE Hyne said he looked into additional security measures at the Park. Moving the light switches, changing light to motion detector and 3<sup>rd</sup>, already used heavy duty vandal resistant wire. Asked Mid-Atlantic Electric to look into this. Also asked them to fix the deep rut next to the pavilion.

### **c. Dawson Green, Town Manager**

- Talked to Clean Water, DE, the porta potty people. Someone jumped off the top of the bleachers on top of it and collapsed the building, also threw rocks at it leaving dents. They are going to move it back where it was and going to anchor it. Moved it next to the bleachers so we could chain it because they kept tipping it over.

- Mountaire Farms Engineer will be at the next mid-month meeting to give an update.

## **VII. Committee Reports**

### **a. Finance: Chair – Mayor Jermaine Hatton**

- Still getting the budget information loaded into Edmonds, should be able to discuss at one of the next couple meetings and approve it.

- Auditors will be back on site June 15, 2015 in hopes of finishing the audit for 2014.

- CM Ness asked if the auditors will provide us with a final cost for the estimate and Mayor Hatton stated we see that with the statements that come in. We are up to approximately \$13,000 now, last year it cost \$20,000 with all the problems and issues, we budgeted \$15,000 for this year.

- We are moving forward and the Town is a better place now with changes that have been made.
- b. Public Works: Chair - CM Rudy Sutton

- Discussion/Vote to approve Ordinance No. 15-05 – Light Pollution

a) CM Sutton motioned, CM Ness seconded with unanimous vote to adopt Ordinance No. 15-05.

- Discussion/possible vote to award contract for 141 Main Street to clear the property

a) Have a proposal from D. Jones Trucking & Equipment for \$5,850.00 to clear the property which is substantially lower than any other bids received.

b) After a discussion on how the job was advertised and how we received the bids, CM Sutton explained he recommended a contractor but felt the numbers were too high and didn't want to vote on it at the time. After more research, he feels he is ready to make a motion.

c) TE Hyne stated there are several things to consider; the Town received the plan approval for the stump removal but have to have a stone construction entrance. The stump removal is also included in the contract bid but can be removed. He also recommended the stumps be removed below grade rather than at grade.

d) CM Sutton motioned, CM Ness seconded with unanimous vote to award the contract to D. Jones Trucking & Equipment for \$5,850.00 to remove the stumps and bamboo from 141 Main Street.

e) CM Sutton added that residents are complaining about the way the property is looking and this will improve the aesthetics. It is also a really good price.

- c. Land Use & Development: Chair – Mayor Jermaine Hatton

- Received information from Pal at DelDot, waiting on the final interpretation on the traffic study.
- Spoke with Fred today and he is looking into several options for us on our sewer issues.

- d. Public Safety: Chair – CM John Ness

- Waiting to confirm the police enforcement for movie night at the park.

• Disappointed with Middletown response for Code Red, won't put movie announcement out and can't have our own access to the system to use for our announcements as they led us to believe, they will have to put any of our announcements out for us. Am researching this.

• Still looking into solar powered speed limit signs, want to contact Senator Ennis and Representative Spiegelman.

- e. Community Relations: Chair – CW Cindy Cook

- Discussion/Vote to approve Ordinance No. 15-06 – Town Soliciting

a) CW Cook motioned, CM Ness seconded with unanimous vote to adopt Ordinance No. 15-06, solicitors and peddlers.

b) Wrote a social media policy statement and guideline. Was asked to put one together for Council to see and send comments. Has general guidelines for comments, would have to keep close eye on it, changes constantly.

c) Volunteer of the Year Award – CW Cook put together four options on ways to consider a recipient for this award and said she would like Council's comments to put something final together.

d) After much discussion, it was clarified that the Volunteer of the Year Award goes to someone who does volunteer work for the Town, not just anyone that lives in Town and does volunteer work. CW Cook stated she did not realize this. Since Council has remained the same, there is still time for them to pick a Volunteer of the Year award to be presented at the Town Fair.

- f. Parks & Recreation: Chair – CW Lorraine Gorman

- Park Maintenance Work

a) Discussion/possible vote on hiring part-time maintenance worker

b) CW Gorman said she would like to hire someone part time – temporary seasonal, as needed to work at the park and help George. She asked TM Green how he felt about this.

c) TM Green asked for some time to think about it.

d) CW Gorman said she has 3 estimates for tree trimming at the park. They will prune all the trees, remove 7 dead trees and grind the stumps, and trim the evergreens hanging over the walking trail. Strobert Tree Service, Inc. bid was under \$5,000. Would like to hire them for the job.

- e) We need to monitor for bag worms and Wilcox has made some recommendations of things that need to be done, for instance the stakes put on the trees when they were planted need removed, should have been done years ago.
- National Wildlife Federation update
  - a) The butterfly hero pledges still pouring in.
- Community Yard Sale in the Park – May 9, 2015
  - a) This was the second and final community yard sale in the park. 16 people signed up and only 6 showed up. It is not worth the work due to lack of participation.
- Movie Night in the Park – June 5, 2015 @ 8:30 pm
  - a) Premier Physical Therapy is a sponsor for this event.
  - b) Talked to Jimmy, the owner of Iron Source. He is supplying the lighting for the parking areas for free. We only need to pay for the fuel to run them.
  - c) Fat Daddy's Funnel Cakes and Dino's Icecream will be at the movie selling their wares.
  - d) All our local stores are posting the information about the movie.
- MOT Line Dancing & Fire House BBQ in the Park – June 18, 2015 – 4:00 pm – 8:00 pm
  - a) BBQ @ 4:00 pm, line dancing begins @ 6:00 pm
- School of Rock Concert – July 25, 2015 - 6:00 pm – 8:00 pm
- Town Fair – 10<sup>th</sup> Anniversary – Saturday – 9/26/15 – Parade @ 10:00 am, Fair 11:00 am – 3:00 pm
  - a) CW Gorman asked all of Council to recruit vendors and parade participants for this year's fair. It is our 10<sup>th</sup> anniversary and want it to be really special.

**VIII. Citizens Comments & Participation:** none.

**XII. Adjournment:** 9:35 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

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